

WINDELS MARX LANE & MITTENDORF, LLP

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Howard L. Simon

*Special Counsel to Irving H. Picard, Trustee for the
Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC and
the Estate of Bernard L. Madoff, and to
Alan Nisselson, Chapter 7 Trustee for the
Estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Substantively
Consolidated SIPA Liquidation of Bernard L.
Madoff Investment Securities LLC and the Estate of
Bernard L. Madoff, and ALAN NISSELSO, N,
Chapter 7 Trustee for the Estate of Bernard L.
Madoff,

Plaintiffs,

v.

XYZ6 CORP. (Redacted – Under Seal),

Defendant.

Adv. Pro. No. 10-05322 (SMB)

NOTICE OF VOLUNTARY DISMISSAL OF ADVERSARY PROCEEDING

PLEASE TAKE NOTICE that Irving H. Picard, Esq. (the “Trustee”), as trustee for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC, under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, et seq. (“SIPA”), and the estate of Bernard L. Madoff, and Alan Nisselson, as Chapter 7 Trustee (the “Chapter 7 Trustee”, and together with the Trustee, the “Plaintiffs”) for the estate of Bernard L. Madoff, by and through their counsel Windels Marx Lane & Mittendorf, LLP, and pursuant to Rule 7041(a)(1)(A)(i) of the Federal Rules of Bankruptcy Procedure (making Rule 41(a)(1)(A)(i) of the Federal Rules of Civil Procedure applicable in adversary proceedings), hereby dismiss the above-captioned adversary proceeding with prejudice and without costs to any party. Pursuant to Bankruptcy Rule 7041(a)(1)(A)(i), the Plaintiffs are permitted to voluntarily dismiss this adversary proceeding without further order of the court by filing this Notice of Dismissal as, as of the date hereof, no opposing party has served either an answer or a motion for summary judgment.

Dated: New York, New York
March 5, 2014

By: /s/ Howard L. Simon
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